

REMARKS/ARGUMENT

Claims 12-32 are pending in the instant Application.

In response to the Examiner's Restriction Requirement in the above-identified Application, Applicants provisionally elect, with traverse, to initially prosecute the Claims identified by the Examiner as within Group I, i.e., Claims 12-20 drawn to a concentrated, low-viscosity surface-active preparation. They hereby preserve the benefit of the priorities and filing date of the original Application for all pending Claims in this Application, and reserve the right to deal with the Claims identified by the Examiner as within Group II, i.e., Claims 21-26, drawn to a process for producing such a preparation, as well as with Claims 27-32, identified as Group III, drawn to a process for reducing the viscosity of a specific water-containing paste comprising adding one or more alkali metal sulfates to the paste.

Applicants respectfully suggest that the Claims of Groups I and II should be examined together as a composition and a method of making it, as the search of these Claims would not be unduly extensive or burdensome. The Examiner's conclusory division of the pending Claims, and his explanation for making the Restriction did not suggest that searches of the process and product of these Groups would involve separate classifications or distinct fields, or how the process could be used to make materially different products. In his paragraph suggesting that "Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 because...they lack the same or corresponding special technical features", the Examiner cited published International Patent Application WO95/14076 (Albright & Wilson Limited), which discloses aqueous, mobile, concentrated surfactant compositions, consisting essentially of 5-65% of water, up to 75% of a water-miscible, non-surfactant organic solvent and at least 25% of amphoteric surfactant, optionally with up to 10% of non-colloidal electrolytes, in the "G" (pourable, thixotropic material) phase or L1 (mobile, Newtonian liquid) phase (dependent on the active ingredients, concentrations of the components, and organic solvent:water ratio present) at ambient temperature, and a method of preparing such a composition- itself the combination of process and product Claims in

the same Application, but never explained how such a publication supports the division of Claims 12-26 into two Groups.

In addition, Applicants respectfully suggest that the Claims of Group III should be examined with those of Group I and Group II, as the Claims of Group III are an element of the process of the Claims of Group II, and the use of this element is a key part in the preparation of the compositions of the Claims of Group I. As the Examiner never even mentioned why the Claims of Group III were restricted from the Claims of Group I and Group II, and as a subpart of the Claims of Group II, it is respectfully submitted that examining the process of the Claims of Group II with those of the remaining Claims of the Application would not be unduly extensive or burdensome on the Examiner.

Contrary to the Examiner's unsupported conclusions, Applicants submit that the Claims of Groups I, II and III are linked as inventive composition and inventive method and submethod of making such composition, thus sharing a general inventive concept. They respectfully submit that the Examiner has not met his burden of showing any of the necessary reasons why division of the Claims is mandated.

Applicants therefore respectfully solicit reconsideration and withdrawal of the requirement, and examination of all of the pending Claims in the instant Application.

Applicants then provisionally propose alkyl amidobetaines (which as encompassed within Claims 12-15, 19-23 and 26-29 and 32) for the Examiner's initial search of amphoteric surfactants, although they respectfully suggest that the six betaines from which the Examiner requested an election is not an unreasonable number for search purposes, and a search of all six would not represent a serious or unreasonable burden on the Examiner.

Applicants respectfully request that this request for an election of species be withdrawn, and all six of the listed amphoteric surfactants be searched.

It is believed that the foregoing elections, with traverse, are completely responsive under 35USC §§121 and 372, and Applicants therefore respectfully request an early and favorable examination of their entire Application on the merits.

Application No.: 10/532,283

Response dated January 31, 2008

Applicants' Reply to the Restriction Requirement mailed December 31, 2007

The Examiner is requested to telephone the undersigned attorney if any further questions remain which can be resolved by a telephone interview

Respectfully submitted,

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January 31, 2008

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